

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-307-FDW-DCK**

ALTHNETT TURNER,

Plaintiff,

v.

**MECKLENBURG COUNTY CLERK OF
SUPERIOR COURT and N.C.
ADMINISTRATIVE OFFICE OF THE
COURTS,**

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on Defendants’ “Motion For Extension Of Time To Answer Or Otherwise Respond” (Document No. 5) filed June 28, 2017. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, the record, and applicable authority, the undersigned will grant the motion, with modification.

This matter is governed by the “Standing Order Governing Civil Case Management Before the Honorable Judge Frank D. Whitney.” (3:07-MC-047-FDW, Document No. 2). As such the initial Scheduling Order,” issued in this case on June 7, 2017, provides in pertinent part:

Extensions of time to serve pleadings shall not be granted except by leave of court for good cause shown (consent of opposing counsel alone is not sufficient). **Absent extraordinary circumstances, no party shall receive more than one extension of time to serve a pleading, with any such extension being no more than twenty (20) days in duration.**

...

Any motion to extend the forgoing time... shall be filed immediately upon counsel learning of the need for the same and in any event no fewer than three (3) business days in advance of the filing deadline sought to be modified. The moving party must

show consultation with opposing counsel regarding the requested extension and must inform the Court of the views of opposing counsel on request. If a party fails to make the requisite showing, the Court will summarily deny the request for extension.

(3:07-MC-047-FDW, Document No. 2) (emphasis added).

IT IS, THEREFORE, ORDERED that Defendants' "Motion For Extension Of Time To Answer Or Otherwise Respond" (Document No. 5) is **GRANTED, with modification**. Defendants shall have up to and including **July 24, 2017** to answer or otherwise respond to Plaintiff's Complaint.

SO ORDERED.

Signed: June 29, 2017



David C. Keesler
United States Magistrate Judge

